

BEFORE THE JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION

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IN RE: ASBESTOS PRODUCTS
LIABILITY LITIGATION (NO. VI)

JUDICIAL PANEL ON
MULTIDISTRICT
LITIGATION
MDL DOCKET NO. 875

**NOTICE OF POTENTIAL TAG ALONG ACTION
PURSUANT TO J.P.M.L. RULE 7.5**

Now into court comes Patrick C. Smith, and Michael A. Stodghill, counsel for the defendant, Pfizer Inc. ("Pfizer"), in the case of "Wilbur Deisher v. Rapid American Corp., et al." Docket No. 08-CV-2274 in the U.S. District Court for the Northern District of Illinois (Eastern Division), for the purpose of submitting this Notice of Potential Tag Along Action, and respectfully says as follows:

1. In 1991, the Panel entered an Order transferring all asbestos-related cases pending in federal courts throughout the nation to the Eastern District of Pennsylvania, for coordinated or consolidated pre-trial proceedings pursuant to 28 U.S.C. §1407. That Order also applies to all subsequent tag-along actions involving common questions of fact or law, and required counsel to notify the Panel of all potential tag-along actions. *See* 771 F. Supp. 415, 424 (J.P.M.L. 1991); *see also* Panel Rule 7.5(e).

2. Pursuant to JPML Rule 7.5(e) and the Panel's Order, counsel hereby notifies the panel and all counsel that the undersigned believes the aforementioned action is a potential tag-along action subject to transfer to the Eastern District of Pennsylvania for inclusion in MDL 875, pending before The Honorable James T. Giles. Further, the undersigned respectfully requests,

pursuant to Rule 7.5, that the Panel issue a conditional transfer Order pursuant to Rule 7.4 for the transfer of this action to MDL 875.

3. A copy of the Complaint and Notice of Removal filed in the referenced case are attached hereto.

Wherefore, the undersigned pray that this Notice of Potential Tag Along Action be deemed good and sufficient.

This 22nd day of April, 2008

Respectfully submitted,

POWERS & FROST
Attorneys for Defendant
Pfizer Inc.

By: 

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HOUSTON. TOWSON. ROCKVILLE.

April 22, 2008

Jeffery N. Lüthi
Clerk of the Panel
Judicial Panel On Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, NE
Room G-255, North Lobby
Washington, DC 20002-8004

Re: Notice of Potential Tag Along Action:
Wilbur Deisher v. Rapid American Corp., et al. (N.D. Ill. Case No. 08-CV-2274)
In re: Asbestos Products Liability Litigation (No. VI) MDL No. 875

Dear Mr. Lüthi:

Enclosed please find an original and two (2) copies of defendant Pfizer Inc.'s Notice of Potential Tag Along Action in "In Re: Asbestos Products Liability Litigation (No. VI)," MDL, 875. I would ask that you kindly file the original Notice and return two (2) stamped "filed" copies to my attention via our courier. In addition, I have also enclosed a copy of plaintiff's Complaint and the Notice of Removal filed in the action.

Please contact me if you have any questions at (301) 610-9700. I thank you in advance for your assistance in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Stodghill".

Michael A. Stodghill

Enclosures

CERTIFICATE OF SERVICE

PLEASE TAKE NOTICE that on the 24th day of April, 2008, we have electronically filed with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, using the CM/ECF System, Defendant Pfizer, Inc.'s Notice of Potential Tag Along Action Pursuant to J.M. P.L. Rule 7.5 and letter, and Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's electronic system.

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Respectfully submitted,

PRETZEL & STOUFFER, CHARTERED

By:/s/Paul A. Ruscheinski
One of the Attorneys for
Pfizer, Inc.
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